

**MINUTES OF THE
TENTH REGULAR MEETING OF THE
2001 REAPPORTIONMENT COMMISSION**

**October 4, 2001
2:00 p.m.**

**Hawaii State Capitol
Room 329
Honolulu, Hawaii**

Commissioners in Attendance:

Mr. Wayne K. Minami, Chairperson
Mr. Deron K. Akiona
Ms. Jill E. Frierson
Ms. Lori Hoo
Mr. Shelton Jim On
Mr. Lynn C. Kinney
Mr. Kenneth T.G. Lum
Mr. David Rae

Advisory Council in Attendance:

Mr. Stephen Goodenow, Oahu
Mr. Jim Hall, Oahu
Ms. Geal Talbert, Oahu
Ms. Georgine Busch, Hawaii
Mr. Wayne Metcalf, Hawaii
Mr. Frank Jung, Hawaii
Ms. Shirley Spencer, Hawaii
Mr. Fred Rohlfing, Maui
Ms. Madge Schaefer, Maui
Mr. Dennis Esaki, Kauai

Technical Support Staff in Attendance:

Mr. Dwayne D. Yoshina, Office of Elections
Mr. David Rosenbrock, Office of Elections/Reapportionment Staff
Mr. Lawrence Chun, Office of Elections/Reapportionment Staff
Ms. Cynthia Fukunaga, Office of Elections/Reapportionment Staff
Mr. Strather Ing, Office of Elections/Reapportionment Staff
Ms. Keala Naluai, Office of Elections/Reapportionment Staff
Mr. Robynn Yokooji, Office of Elections
Mr. Rex Quidilla, Office of Elections
Mr. Scott Nago, Office of Elections

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Mr. Brian Aburano, Department of the Attorney General
Mr. Aaron Schulaner, Department of the Attorney General

Observers Present:

Ms. Jean Aoki, League of Women Voters
Mr. Pat Omandam, Honolulu Star Bulletin
Ms. Lynne Matusow, Downtown Neighborhood Board
Rep. Chris Halford, House of Representatives
Mr. Kevin Dayton, Honolulu Advertiser
Mr. Bert Warashina, Senate Office
Ms. Shannon Wood, The Koolau News
Ms. Malia Schwartz, League of Women Voters
Ms. Brandi Lau, Representative Morita Office
Mr. Glen Takahashi, City Clerk Office
Ms. Joan Shinn, Representative Marumoto Office
Ms. Lokelani Laybon, Senate Minority Office
Ms. Linda Lingle, Hawaii Republican Party
Rep. Emily Auwae, House of Representatives
Mr. Randall Port, Senator Chun Office
Rep. Mina Morita, House of Representatives
Ms. Connie Herolaga, Representative Garcia Office
Mr. Bruce Dunford
Rep. Bertha Leong, House of Representatives
Sen. Cal Kawamoto, State Senate
Sen. Sam Slom, State Senate
Mr. Ken Fujinaga, Representative Hamakawa Office
Ms. Carina Tagupa, Senate Minority Office
Rep. Barbara Marumoto, House of Representatives
Ms. Karin Gill, Representative Schatz Office
Ms. Roberta Weatherford, Representative Leong Office

I. Call to Order

Chairperson, Wayne Minami, called the Tenth Regular Meeting of the 2001 Reapportionment Commission to order at 2:17 p.m. in Conference Room 329 of the Hawaii State Capitol, Honolulu, Hawaii.

II. Approval of Minutes

Commissioner Jill Frierson moved to have the minutes of the Ninth Regular Meeting of the 2001 Reapportionment Commission on August 9, 2001 approved. Commissioner Shelton Jim On seconded the motion. The motion was carried unanimously by the Commissioners in attendance.

PROCEEDINGS

III. Calculating by Basic Island Unit

Chairperson Minami explained that the spreadsheet attached to the agenda is a method of calculation that the Commission will use as the alternative way to calculate the deviations for using Basic Island Units instead of statewide deviation.

Mr. David Rosenbrock explained the process of the new alternative. The State of Hawaii is composed of four Basic Island Units that equate with the four counties in the state (Maui, Kauai, Hawaii, and Oahu). The Hawaii State Constitution calls for equal representation among the four counties (Basic Island Units) during the reapportionment process. In 1981 and 1991 the equality of representation was achieved through the use of canoe districts. The proposed 2001 reapportionment also uses canoe districts to achieve equal representation among the state legislative districts.

There has been significant public comment urging the commission to look at other ways to eliminate canoe districts and also asking it to abandon the 10% deviation standard that is required for the current plan. Traditionally the 10% deviation standard has been used twice, once for the House districts and once for the Senate districts. The process of under representation and over representation in a county needs to work in each county to totally eliminate canoe districts. (see information sheet and spreadsheet - attached as Appendix A)

Chairperson Minami stated that for purpose of discussion, he would like to move that the Commission authorize the Technical Committee to utilize the alternative method of calculating deviation by Basic Island Units. The motion was seconded by Commissioner Frierson. For Clarification, Commissioner Rae asked if the Technical Committee will be looking at the alternative method in addition to the maps that were published for public hearings. Chairperson Minami answered in the affirmative. The motion was carried unanimously by the Commissioners in attendance.

IV. Advisory Councils Testimony

A. Testimony by Mr. Steve Goodenow, Oahu Advisory Council Member

Mr. Goodenow mentioned that the Oahu Advisory Council has submitted its report detailing the Council's efforts to inform the public of the reapportionment process and making recommendations to the Commission for possible inclusion in its report to the Legislature.

1. By unanimous agreement, the Oahu Advisory Council, would like to thank the Office of Elections and the Reapportionment Project staff for their work.

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2. They also thanked the Commission for recognizing that the Advisory Councils do have an important role in informing the public about the reapportionment process.
3. Recommendations:
 - a. The Hawaii Revised Statutes should better define the role of the Advisory Councils. The Councils should be brought in during the early part of the Commission's deliberations and meetings.
 - b. Public hearings should be set up in the beginning of the process to make the public aware and to inform them.
 - c. The number of support staff should be increased.
 - d. There should be more publicity about the Advisory Council meetings.
 - e. At least one neighbor island resident should be appointed to the Commission to represent the neighbor islands.

Mr. Goodenow expressed that the Oahu Advisory Council feels that the Commission did a fair and reasonable job by taking in all peoples' concerns into account.

B. Testimony by Mr. James V. Hall, Oahu Advisory Council Member

Mr. Hall submitted a chart that he developed based on the numbers involving East Honolulu and how it compares with West Honolulu. He compared the number of residents in the proposed districts by the adjusted populations that the Commission is using with the registered voter and voter-turnout numbers as provided by the Office of Elections. (see the chart - attached as Appendix B)

Commissioner David Rae asked Mr. Hall if the reason the voter turnout in East Honolulu is smaller than the voter turnout in West Honolulu could be due to the difference in the population of minors in the districts. Mr. Hall said that this is a possibility though his argument is that the reason for such a big difference is because of the military population in West Honolulu. Commissioner Rae asked if there could be other variables that would cause the big difference in voter turnout. Mr. Hall agreed noting that older people tend to vote more than younger people, more established districts tend to have more children than newer districts, and people in higher income brackets tend to vote more than those in lower income brackets.

C. Testimony by Ms. Madge Schaefer, Maui Advisory Council Member

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Ms. Schaefer came before the Commission to thank them for attending the public hearings in Maui and to hear their voices. She asked the Commission to reconsider the population base and exclude the dependents of non-resident military.

Commissioner Rae thanked Ms. Schaefer for her understanding and graciousness to the Commission. Commissioner Rae commented that having this kind of dialogue is a representation of Democracy in this country and is amazing.

Chairperson Minami pointed out that per the Commission's legal counsel, the Commission cannot take action on Ms. Schaefer's request because such a motion is not on the agenda for today's meeting, and according to public meeting law, decision-making has to be on the agenda. Chairperson Minami said that the issue will be on the agenda for next week's meeting.

V. Public Testimony

A. Testimony by Ms. Lynne Matusow

Ms. Matusow stated that even though the numbers may work for the alternative calculation, there is the issue of where the lines go and if they would work or not. When drawing the new districts, she said that they need to be compact, contiguous, and communities should be kept intact as much as possible. She also asked that the Commission not pay attention to where the incumbents reside.

VI. Correspondence and Announcements

The Commission Secretary noted receipt of the following correspondence:

- ?? Testimony from Lester Fung
- ?? Testimony from Clifton Takamura
- ?? Letter from Roy Takumi
- ?? Letter from Miriam and Joe Prigge
- ?? Resolution from the Council of the Maui County, Resolution #01-169

VII. Other Business

- A.** Commissioner Akiona asked that since the Commission is going to take up the issue of non-resident military dependents, he would like the Deputy Attorney General to look into an issue that was brought up by the residents in Kona and find out if a vote on the military dependent issue will effect the public school system.

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The issue that the Kona residents expressed concern about was the fact that if non-resident military dependents were considered permanent residents by the Commission and the State, that this would have a direct impact on the federal aid that the public schools receive because they have military dependents in those schools. The people in Kona mentioned that those schools would stand a chance of losing the federal aid if the military dependents were considered permanent residents of the State. Commissioner Akiona expressed concern that if the Commission considers the non-resident military dependents as permanent residents, they may jeopardize that aid.

- B. Commissioner Jim On also requested that the Deputy Attorney General look into the impact of the document that Madge Schaefer brought to the Commission at the last public hearing on October 3 in Maui. The document was a fact sheet from the Office of Elections given to the Military Voter Aides that indicated that Ms. Schaefer testified that non-resident military dependents are not to be considered residents under Hawaii election laws.

Chairperson Minami mentioned that there are two sides to a story and would give the Deputy Attorney General the benefit of following up on the issue and trying to correct it if it needs correction.

VIII. Adjournment

There being no other business to discuss the Tenth Meeting of the 2001 Reapportionment Commission was adjourned.

The Tenth Regular Meeting of the 2001 Reapportionment Commission was adjourned at 3:50 p.m.

Respectfully submitted,

Dwayne D. Yoshina
Chief Election Officer
Secretary of the
2001 Reapportionment Commission